

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
BELEN ET AL,

Plaintiffs,

-against-

HERMAN ET AL,

Defendants.
----- X

**ORDER DENYING IN PART AND
GRANTING IN PART
PLAINTIFFS' MOTIONS TO
COMPEL**

22 Civ. 6455 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs move to compel the production of documents by Defendants Vanguard and Oakworth over which those Defendants asserted statutory privilege. Plaintiffs also move to compel Defendant Vanguard to produce certain documents which Plaintiffs claim Vanguard is withholding. I heard arguments and made rulings on June 4, 2025, denying in part and granting in part Plaintiffs' motion to compel Defendants Vanguard and Oakworth to produce documents over which they asserted statutory privilege, and denying Plaintiffs' motion to compel Defendant Vanguard to produce allegedly withheld documents. My rulings are reproduced below.

As to the motion to compel production of privileged documents, ECF No. 155, I ordered Plaintiffs to identify ten documents from each of the Defendants' privilege logs that they wished me to review for privilege. I reviewed those documents *ex parte* and made individual rulings as follows:

Vanguard_Priv_019: privileged.

Vanguard_Priv_020: privileged.

Vanguard_Priv_021 and its attachments: privileged.

Vanguard_Priv_051: privileged.

Vanguard_Priv_081: privileged.

Vanguard_Priv_146: privileged.

Vanguard_Priv_162: privileged.

The remaining three documents selected by Plaintiffs from Vanguard's privilege logs have already been produced by Vanguard.

OAKWORTH PRIV LOG_002: not privileged.

OAKWORTH PRIV LOG_003 and 003.01: Oakworth has already produced 003; 003.01 is privileged.

OAKWORTH PRIV LOG_005 and attachments: 005.01 is privileged; the rest of the documents are not privileged.

OAKWORTH PRIV LOG_017.01: privileged.

OAKWORTH PRIV LOG_018: privileged.

OAKWORTH PRIV LOG_058: privileged.

OAKWORTH PRIV LOG_072: privileged.

Oakworth_Redaction_Log_000802: privileged.

Oakworth_Redaction_Log_001785: not privileged.

Oakworth_Redaction_Log_003130: privileged.

Defendants shall apply my rulings above and in the transcript to all documents on their privilege and redaction logs and produce all non-privileged documents by June 13, 2025.

As to Plaintiffs' motion to compel Defendant Vanguard to produce allegedly withheld documents, ECF No. 192, I required Vanguard to submit in response a signed declaration affirming that it was not withholding any documents. Vanguard filed such a signed declaration, representing that it conducted a thorough search of its records for responsive

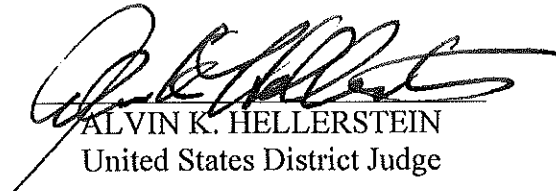
documents, produced or listed on its privilege log all relevant documents, and is not withholding any additional responsive documents. Accordingly, Plaintiffs' motion to compel is denied.

Defendant Vanguard's motion to seal a portion of its opposition brief is granted.

The Clerk shall terminate the open motions, ECF Nos. 155, 192, and 214.

SO ORDERED.

Dated: June 5, 2025
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge